

Application Serial No. 10/540,108
Attorney Docket No. P70563US0

REMARKS

Receipt of the Final Rejection mailed June 2, 2009 is hereby acknowledged. With the accompanying Petition for a One-Month Extension of Time, this amendment is timely as it being filed on or before October 2, 2009. Applicants also are filing an accompanying Request for Continued Examination.

Amendments

Applicants have amended claims 11 and 20 to recite that the claimed method involves only a single curing step. This amendment is supported in the specification by the Examples, which show only a single curing step. In addition, claims 14, 17, and 19-20 have been amended to better conform their language with more conventional U.S. claim practice. No new matter has been added.

Prior Art Rejections

The Examiner has rejected claims 11-21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Madsen, U.S. Patent Application Publication No. 2002/0037943 ("Madsen") in view of Hunter, et al., U.S. Patent Publication No. 2004/0043052 ("Hunter"). According to the Examiner:

"With respect to claims 11, 17, 19, and 20, Madsen discloses in Examples 2 and 3, a method for the preparation of a cross-linked hydrophilic coating of a hydrophilic polymer on a substrate polymer surface of a medical device (catheter), said method comprising the steps of (i) providing a medical device comprising a substrate polymer having the substrate polymer surface, (ii) providing a polymer solution comprising 1-20% by weight of a hydrophilic polymer and 0-5% by weight of additive(s), (iii) applying said polymer solution to said substrate polymer surface, (iv) evaporating at least a part of the vehicle from said polymer solution present on said substrate polymer surface (Example 1).

"Madsen further discloses providing a plasticizer [0070], however fails to expressly disclose the polymer solution comprises a vehicle with plasticizing effect on the hydrophilic polymer, said vehicle comprising at least one plasticizer having a solubility in water of at least 6 g/L, a boiling point above 210°C at 760 mmHg, and a Hansen δ_H parameter of less than 20. However it is well known in the art to coat a catheter with a polymer utilizing a triethyl citrate as the plasticizer, as taught by Hunter..."

(Office Action, pp. 3-4). Applicants respectfully traverse this rejection.

Madsen discloses a process for coating a catheter with a two-layer crosslinked, hydrophilic polymer coating. The catheter is dipped in a solvent mixture of PVP, or a mixture of hydrophilic polymers and additives, and then exposed to UV light (i.e. irradiated and cured) so as to crosslink the polymers on the surface. The coatings are later dried. The catheters are then further processed by being placed in a second wetting

solution containing PVP, and sterilized (by irradiation) while stored in this solution. Thus, Madsen discloses a two-step process, in which radiation is directed onto the device at the end of each step, and in which a plasticizer may be added during the second step.

With the foregoing amendments, the claims now require that there is only a single irradiation step in the claimed process. Nothing in Madsen teaches or suggests the use of a single irradiation step, which yields a medical device having the excellent properties of medical devices prepared according to the claimed invention. Nor does anything in Hunter remedy this deficiency in Madsen. Accordingly, applicants respectfully request reconsideration and withdrawal of the obviousness rejection.

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Conclusion

In view of the foregoing amendments and remarks, applicants submit that the claims are now in condition for allowance. Prompt notice to that effect is earnestly solicited. If the Examiner believes a telephone call would advance prosecution of the application, he is invited to telephone the undersigned.

Respectfully submitted,

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